



General Assembly

Substitute Bill No. 538

January Session, 2003

**AN ACT CONCERNING REVALUATION OF PROPERTY BY
MUNICIPALITIES, LAND VALUE TAXATION AND THE
CERTIFICATION OF REVALUATION APPRAISERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 12-62 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003, and applicable to assessment years commencing on or after*
4 *October 1, 2003*):

5 (b) (1) The assessor or board of assessors of each town shall revalue
6 all of the real estate in their respective municipalities in accordance
7 with the schedule provided in this section. Nothing in this subsection
8 shall be construed to prohibit a town from effecting more frequent
9 revaluations between the implementation of each revaluation required
10 in accordance with the provisions of this section.

T1		Year of Next	Year of Subsequent
T2	Town/City	Revaluation	Revaluation
T3	Andover	2001	2005
T4	Ansonia	2002	2006
T5	Ashford	2002	2006
T6	Avon	1999	2003
T7	Barkhamsted	1999	2003
T8	Beacon Falls	2001	2005

T9	Berlin	1997 or 1998	2002
T10	Bethany	1999	2003
T11	Bethel	1999	2003
T12	Bethlehem	1999	2003
T13	Bloomfield	2000	2004
T14	Bolton	1999	2003
T15	Bozrah	2001	2005
T16	Branford	2000	2004
T17	Bridgeport	1999	2003
T18	Bridgewater	1999	2003
T19	Bristol	1997 or 1998	2002
T20	Brookfield	2001	2005
T21	Brooklyn	2000	2004
T22	Burlington	1999	2003
T23	Canaan	1997 or 1998	2002
T24	Canterbury	2000	2004
T25	Canton	1999	2003
T26	Chaplin	1999	2003
T27	Cheshire	1999	2003
T28	Chester	1999	2003
T29	Clinton	2000	2004
T30	Colchester	2001	2005
T31	Colebrook	2000	2004
T32	Columbia	2001	2005
T33	Cornwall	2001	2005
T34	Coventry	2000	2004
T35	Cromwell	1999	2003
T36	Danbury	1997 or 1998	2002
T37	Darien	1999	2003
T38	Deep River	2001	2005
T39	Derby	2000	2004
T40	Durham	2000	2004
T41	Eastford	1997 or 1998	2002
T42	East Granby	1999	2003
T43	East Haddam	2002	2006

T44	East Hampton	2000	2004
T45	East Hartford	2001	2005
T46	East Haven	2000	2004
T47	East Lyme	2001	2005
T48	Easton	2002	2006
T49	East Windsor	2002	2006
T50	Ellington	2000	2004
T51	Enfield	2001	2005
T52	Essex	1999	2003
T53	Fairfield	2001	2005
T54	Farmington	2002	2006
T55	Franklin	1999	2003
T56	Glastonbury	2002	2006
T57	Goshen	1997 or 1998	2002
T58	Granby	1997 or 1998	2002
T59	Greenwich	2001	2005
T60	Griswold	2001	2005
T61	Groton	2001	2005
T62	Guilford	2002	2006
T63	Haddam	2001	2005
T64	Hamden	2000	2004
T65	Hampton	1999	2003
T66	Hartford	1999	2003
T67	Hartland	2001	2005
T68	Harwinton	1999	2003
T69	Hebron	2001	2005
T70	Kent	1999	2003
T71	Killingly	2002	2006
T72	Killingworth	2001	2005
T73	Lebanon	1999	2003
T74	Ledyard	2001	2005
T75	Lisbon	2001	2005
T76	Litchfield	1999	2003
T77	Lyme	1999	2003
T78	Madison	2000	2004

T79	Manchester	2000	2004
T80	Mansfield	2000	2004
T81	Marlborough	2001	2005
T82	Meriden	2001	2005
T83	Middlebury	2001	2005
T84	Middlefield	2001	2005
T85	Middletown	1997 or 1998	2002
T86	Milford	2000	2004
T87	Monroe	1999	2003
T88	Montville	2001	2005
T89	Morris	2000	2004
T90	Naugatuck	1997 or 1998	2002
T91	New Britain	2002	2006
T92	New Canaan	1999	2003
T93	New Fairfield	2000	2004
T94	New Hartford	1999	2003
T95	New Haven	2000	2004
T96	Newington	2000	2004
T97	New London	1999	2003
T98	New Milford	2001	2005
T99	Newtown	2002	2006
T100	Norfolk	1999	2003
T101	North Branford	2001	2005
T102	North Canaan	1997 or 1998	2002
T103	North Haven	2000	2004
T104	North Stonington	2000	2004
T105	Norwalk	1999	2003
T106	Norwich	1999	2003
T107	Old Lyme	2000	2004
T108	Old Saybrook	1999	2003
T109	Orange	2000	2004
T110	Oxford	2000	2004
T111	Plainfield	1997 or 1998	2002
T112	Plainville	2000	2004
T113	Plymouth	2001	2005

T114	Pomfret	2000	2004
T115	Portland	2001	2005
T116	Preston	1997 or 1998	2002
T117	Prospect	2000	2004
T118	Putnam	1999	2003
T119	Redding	1997 or 1998	2002
T120	Ridgefield	1997 or 1998	2002
T121	Rocky Hill	1999	2003
T122	Roxbury	1997 or 1998	2002
T123	Salem	2001	2005
T124	Salisbury	2000	2004
T125	Scotland	1999	2003
T126	Seymour	2001	2005
T127	Sharon	1999	2003
T128	Shelton	2001	2005
T129	Sherman	1999	2003
T130	Simsbury	2002	2006
T131	Somers	2002	2006
T132	Southbury	1997 or 1998	2002
T133	Southington	2001	2005
T134	South Windsor	2002	2006
T135	Sprague	2000	2004
T136	Stafford	2000	2004
T137	Stamford	2001	2005
T138	Sterling	1997 or 1998	2002
T139	Stonington	2002	2006
T140	Stratford	2000	2004
T141	Suffield	1999	2003
T142	Thomaston	1999	2003
T143	Thompson	2000	2004
T144	Tolland	2000	2004
T145	Torrington	1999	2003
T146	Trumbull	2000	2004
T147	Union	1999	2003
T148	Vernon	2000	2004

T149	Voluntown	2001	2005
T150	Wallingford	2000	2004
T151	Warren	1997 or 1998	2002
T152	Washington	1999	2003
T153	Waterbury	1997 or 1998	2002
T154	Waterford	1997 or 1998	2002
T155	Watertown	1999	2003
T156	Westbrook	2001	2005
T157	West Hartford	1999	2003
T158	West Haven	2000	2004
T159	Weston	1999	2003
T160	Westport	1999	2003
T161	Wethersfield	1999	2003
T162	Willington	1999	2003
T163	Wilton	2002	2006
T164	Winchester	2002	2006
T165	Windham	2001	2005
T166	Windsor	1999	2003
T167	Windsor Locks	1999	2003
T168	Wolcott	2000	2004
T169	Woodbridge	2000	2004
T170	Woodbury	1999	2003
T171	Woodstock	2000	2004

11 (2) Notwithstanding the provisions of subdivision (1) of this
 12 subsection establishing the date of subsequent revaluation, such date
 13 shall be two years after the date established in said subdivision (1) in
 14 the case of each municipality required to revalue in assessment years
 15 2003, 2004, 2005 and 2006. For the assessment date [four] six years
 16 following the date of the subsequent revaluation required under
 17 subdivision (1) of this subsection and every [fourth] sixth year
 18 thereafter, the assessor or board of assessors shall revalue all of the real
 19 estate in their respective municipalities.

20 (3) Any municipality required to revalue all real property for
21 assessment year 1997 or 1998, which revalued such real property for
22 the assessment year 1996, shall not be required to revalue for
23 assessment year 1997 or 1998 but shall be required to revalue all real
24 property for assessment year 2002.

25 Sec. 2. Section 12-62a of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2003, and*
27 *applicable to assessment years commencing on or after October 1, 2003*):

28 (a) Each municipality, as defined in section 7-381, shall establish a
29 uniform assessment date of October first.

30 (b) Each such municipality shall assess all property for purposes of
31 the local property tax at a uniform rate of seventy per cent of present
32 true and actual value, as determined under section 12-63. For
33 assessment years commencing on and after October 1, 2003, any
34 municipality with a population of more than one hundred thousand,
35 as amended by ordinance adopted by its legislative body, may (1)
36 classify real estate as (A) land or land exclusive of buildings, or (B)
37 buildings on land, and (2) establish a different rate of property tax for
38 each class, provided the higher rate shall apply to land or land
39 exclusive of buildings.

40 (c) Repealed by P.A. 96-171, S. 15, 16.

41 (d) Repealed by P.A. 96-171, S. 15, 16.

42 (e) Commencing October 1, 1996, any such municipality may, with
43 respect to the assessment list in such municipality in a year in which a
44 revaluation becomes effective, as required under section 12-62, by vote
45 of its legislative body and in the manner provided in this subsection,
46 defer all or any part of the amount of any increase in the assessed
47 value of real property included in the assessment list in the year such
48 revaluation becomes effective, provided in the year such revaluation
49 becomes effective and in any succeeding year in which such deferment
50 is allowed by such municipality, the assessed value of any real

51 property in the year immediately preceding revaluation shall be
52 increased in such equal amounts in each of such years that the assessed
53 value of such real property in the last year of such deferment, but in no
54 event later than the third year following the year of such revaluation,
55 shall be no less than the assessed value applicable to such property in
56 the year of revaluation except for deferment of such increased
57 assessment in accordance with this subsection. In any municipality
58 with such a revaluation becoming effective and electing to defer all or
59 any part of the amount of such increase in the assessed value of real
60 property over the period of three years immediately following, as
61 provided in this subsection, subject to approval by the legislative body
62 as provided above with respect to real property included in the
63 assessment list in the year of such revaluation, new real estate
64 construction in such municipality which is completed and determined
65 to be subject to property tax as provided in section 12-53a after the
66 assessment date in the year of such revaluation and prior to the
67 assessment date in the third year following the year of such
68 revaluation, may be assessed during such period in a manner similar
69 to that provided in this subsection for real property included in the
70 assessment list in the year of such revaluation, deferring a portion of
71 the actual assessed value of such new construction as of the date
72 liability for property tax is established and adding such portion in
73 equal increments to an assessed value for such new construction
74 estimated as that which would have been applicable if it had been
75 completed immediately prior to the assessment date in the year of such
76 revaluation, such increments to be added in each assessment year
77 commencing with the year in which liability for property tax is so
78 established and ending not later than the third year following the year
79 of such revaluation. The assessed value for purposes of this subsection
80 in each of said years shall be determined as the sum of (1) such
81 estimated assessed value, (2) any of the equal increments already
82 added to such estimated value for purposes of determining the
83 assessed value in accordance with this subsection, and (3) the
84 increment for the year with respect to which such assessed value is
85 being determined. The portion of the actual assessed value of such

86 new construction as of the date of such liability which is to be deferred
87 and added in increments to such estimated assessed value shall be the
88 amount by which the actual assessed value of such new construction
89 on the date tax liability is so established exceeds the estimated assessed
90 value for such new construction as described in this subsection.

91 (f) Any municipality which has elected to defer all or any part of the
92 amount of increase in the assessed value of real property as provided
93 in subsection (e) of this section may (1) continue the plan of such
94 deferment as approved by the legislative body of such municipality
95 until the third year following the year of such revaluation as provided
96 in [said] subsection (e) of this section, or (2) at any time, subject to
97 approval by the legislative body in such municipality, discontinue the
98 plan of such deferment as adopted and notwithstanding the provisions
99 of section 7-344 and any other public or special act or charter, lay such
100 rate of property tax on the assessment list for the assessment year in
101 which such discontinuance occurs, as completed and placed in the
102 town clerk's office in accordance with section 12-55, without any
103 deferment of amounts of increase in assessed values in accordance
104 with [said] subsection (e) of this section, in the amount that would
105 have been applicable with respect to said assessment list if such plan of
106 deferment had not been adopted. In the event any such tax in
107 accordance with [said] subsection (e) of this section has been levied
108 and become due and payable in such assessment year prior to the date
109 of such discontinuance as provided in this subsection, the amount of
110 tax due and payable under this subsection shall be that portion of such
111 tax in excess of the amount of tax due and payable prior to the date of
112 such discontinuance and which amount, notwithstanding
113 discontinuance of such plan of deferment, shall continue to be
114 collectible by the tax collector. Within a period not exceeding thirty
115 days following the date on which such plan of deferment is
116 discontinued, the assessor in such municipality shall notify the tax
117 collector as to the additional amounts of such tax due with respect to
118 the assessment list for the assessment year in which such
119 discontinuance occurs and the tax collector shall within ten days

thereafter mail a bill to the owner of each parcel of real property subject to such additional tax. Such tax shall be due and payable and collectible as other municipal property taxes, provided such tax shall be due and payable in an initial or single installment not sooner than thirty days following the date such bill is mailed to the owner and in any remaining installments of equal amounts as the same are determined to be due and payable by the legislative body.

(g) Repealed by P.A. 83-465, S. 3, 4.

Sec. 3. Section 12-2b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2003*):

The Secretary of the Office of Policy and Management shall: (1) In consultation with the Commissioner of Agriculture, develop schedules of unit prices for property classified under sections 12-107a to 12-107e, inclusive, update such schedules by October 1, 1990, and every five years thereafter, and make such data, studies and schedules available to municipalities and the public; (2) develop regulations setting forth standards and tests for: Certifying revaluation [companies and their employees] appraisers, which regulations shall ensure that a revaluation [company] appraiser is competent in appraising and valuing property [, certifying revaluation companies and their employees, requiring] and require that a [certified employee supervise] revaluation appraiser certified as a supervisor oversee all valuations performed [by a revaluation company] for municipalities, maintaining lists of certified revaluation [companies] appraisers and upon request, [advising municipalities in drafting contracts with revaluation companies, and] conducting investigations and withdrawing the certification of any revaluation [company or employee] appraiser found not to be conforming to such regulations. The regulations shall provide for the imposition of a fee payable to a testing service designated by the secretary to administer revaluation appraiser certification examinations and may provide that a designee of the secretary serve as a hearing officer; and (3) [by himself, or by an agent whom he may appoint,] inquire if all property taxes which are due and

153 collectible by each town or city not consolidated with a town, are in
154 fact collected and paid to the treasurer thereof in the manner
155 prescribed by law, and if accounts and records of the tax collectors and
156 treasurers of such entities are adequate and properly kept. The
157 secretary may hold meetings, conferences or schools for assessors, tax
158 collectors or municipal finance officers.

159 Sec. 4. Subdivision (3) of subsection (d) of section 12-62 of the
160 general statutes is repealed and the following is substituted in lieu
161 thereof (*Effective October 1, 2003*):

162 (3) If a municipality is unable to implement a revaluation in the
163 assessment year as required by this section for any reason other than
164 for reasonable cause as described in subparagraphs (A) to (D),
165 inclusive, of subdivision (2) of this subsection, the chief executive
166 officer of the municipality may submit a written request to the
167 Secretary of the Office of Policy and Management to enter into an
168 agreement with the Office of Policy and Management with respect to
169 the implementation of such revaluation. The municipality may request
170 such agreement [no earlier than six months prior to and] no later than
171 the October first assessment date on which the [required] revaluation
172 [would have affected] is required to be implemented. The secretary
173 may enter into no more than one agreement with any municipality and
174 only if such municipality has shown good faith efforts toward
175 implementing such revaluation. Such agreement shall establish
176 conditions to be met by the municipality in order to qualify for a
177 waiver of the penalty imposed under subdivision (1) of this subsection.
178 Such conditions shall include, but not be limited to, (A) dates upon
179 which specific aspects of the revaluation shall be completed, (B) an
180 agreement by the municipality to implement, maintain or update a
181 computer system for the purpose of conducting future revaluations,
182 (C) an agreement that the municipality will not seek an authorization
183 from the Office of Policy and Management to assess all real estate
184 according to the list in effect immediately prior to the list to which
185 such revaluation applies pursuant to subsection (b) of section 12-117,
186 (D) a date specific by which a contract must be entered into for

187 conducting the next statutorily required revaluation, and (E)
188 [quarterly] periodic updates to the secretary, as set forth in such
189 agreement, on the progress of the revaluation. The dates of such
190 conditions may extend beyond the date of the implementation of the
191 revaluation for which the agreement is requested. Notwithstanding a
192 waiver issued under subdivision (2) of this subsection, the secretary
193 may, upon a review of the totality of the circumstances, cause the
194 municipality to forfeit a percentage of the total amount of state grants-
195 in-aid determined by statutory formula which are included in the
196 estimate prepared by the Secretary of the Office of Policy and
197 Management pursuant to section 4-71b. If one condition of the
198 agreement is not met by a municipality, the amount forfeited shall be
199 one per cent of the total amount of such state grants-in-aid as of the
200 date the condition was not met. If more than one condition of the
201 agreement is not met by a municipality, the amount forfeited may be
202 up to ten per cent of [the] such state grants-in-aid as determined by the
203 secretary.

204 Sec. 5. Subdivision (2) of subsection (k) of section 12-62 of the
205 general statutes is repealed and the following is substituted in lieu
206 thereof (*Effective from passage and applicable to certifications of exemption*
207 *from the requirement to implement a revaluation made on or after April 1,*
208 *2003*):

209 (2) Notwithstanding the provisions of this section, as amended by
210 this act, a town shall be exempt from performing its next scheduled
211 revaluation if, as of the date that calculations pursuant to this
212 subsection are performed using a sample containing a minimum of
213 thirty market sales: (A) The overall level of assessment for all property
214 classes is within plus or minus ten per cent of the seventy per cent
215 assessment ratio required under subsection (b) of section 12-62a, as
216 measured by the overall median ratio; (B) the level of assessment for
217 each property class for which there are fifteen or more market sales is
218 within plus or minus five per cent of the median overall level of
219 assessment for [each such property class] all property classes
220 combined; (C) the coefficient of dispersion for all property classes

221 combined is equal to or less than fifteen per cent and, for each property
222 class for which there are fifteen or more market sales, the coefficient of
223 dispersion is equal to or less than (i) [fifteen per cent for all property;
224 (ii)] fifteen per cent for residential property; [(iii)] (ii) twenty per cent
225 for commercial property; and [(iv)] (iii) twenty per cent for vacant
226 land; and (D) the price related differential for all property classes
227 combined and for each property class for which there are fifteen or
228 more market sales is within 0.98 and 1.03. The provisions of this
229 subsection shall terminate on October 1, 2007, and shall not apply to
230 any revaluation scheduled to be implemented on or after said date.

231 Sec. 6. Subdivision (4) of subsection (k) of section 12-62 of the
232 general statutes is repealed and the following is substituted in lieu
233 thereof (*Effective from passage and applicable to certifications of exemption*
234 *from the requirement to implement a revaluation made on or after April 1,*
235 *2003*):

236 (4) Any town that meets the criteria set forth in this subsection shall,
237 not later than five days after the calculations required by this
238 subsection are performed, certify its exemption from the requirement
239 to implement its next scheduled revaluation pursuant to subsection (b)
240 of this section to the Secretary of the Office of Policy and Management,
241 on a form prescribed by the committee established pursuant to
242 subsection (a) of section 12-62k, as amended by this act, and approved
243 by said secretary. Such certification shall be signed by the chief
244 executive officer and the assessor and filed in their respective offices
245 and shall specify the assessment date to which such exemption applies.
246 The certification submitted to the secretary shall be accompanied by
247 documentation of the town's compliance with the criteria delineated in
248 this subsection, in such form and manner as the committee and the
249 secretary may require. Failure to complete and submit the form and
250 documentation in the time period set forth shall be deemed a waiver of
251 the right to such exemption. Such documentation shall include, but not
252 be limited to: (A) Information concerning all sales of real property for
253 each property class that occurred during the time period encompassed
254 by the town's analyses, provided the sales price is equal to or greater

255 than two thousand dollars; (B) information concerning the market
256 sales used in the analysis for each property class during such time
257 period; (C) documentation concerning the reason used by the assessor
258 to adjust the sales price of each property and the dollar amount of the
259 adjustment; (D) documentation of the reason for not including a real
260 property sale in the analysis of any property class; and (E) the results
261 of each of the applicable calculations described in subdivision (2) of
262 this subsection. Each town that certifies an exemption from the
263 requirement to implement a revaluation pursuant to this subsection
264 shall cooperate with the secretary or the committee established
265 pursuant to subsection (a) of section 12-62k, as amended by this act, in
266 promptly providing any information the secretary or the committee
267 may require. A copy of the certification of a town's exemption from the
268 requirement to implement its next scheduled revaluation, as submitted
269 to the secretary, shall be provided to the town clerk of the town, who
270 shall record such certification on the land records. In the event the
271 secretary rescinds such exemption, the secretary's notice rescinding the
272 town's revaluation exemption certification shall be recorded on the
273 land records not later than five business days after the date the notice
274 is received.

275 Sec. 7. Subsection (a) of section 12-62k of the general statutes is
276 repealed and the following is substituted in lieu thereof (*Effective from*
277 *passage and applicable to certifications of exemption from the requirement to*
278 *implement a revaluation made on or after April 1, 2003*):

279 (a) There shall be a committee for the purpose of analyzing the data
280 upon which a town bases its certification of exemption from the
281 requirement to implement a scheduled revaluation on and after
282 October 1, 2003, pursuant to section 12-62, as amended by this act,
283 together with all data that was [or should have been] considered in
284 completing the calculations on which such exemption certification is
285 based, and any other data the committee deems necessary. Not later
286 than three months after the date on which the Secretary of the Office of
287 Policy and Management receives a town's certification of exemption
288 from such requirement, the committee shall complete its analysis and

289 shall submit a written report of its findings to the secretary. Such
290 report shall include the committee's opinion of the validity of the
291 exemption certification made by the town and a recommendation
292 regarding the secretary's action concerning such certification. Not later
293 than five days after receiving a report of the committee's findings, the
294 secretary shall send a written notice to the town, by certified or
295 registered mail, validating or rescinding the town's revaluation
296 exemption certification. The secretary shall validate the town's
297 exemption from the requirement to implement a revaluation as of the
298 October first of the calendar year next following, unless the committee
299 recommends that the secretary rescind such exemption.

300 Sec. 8. Subsections (c) and (d) of section 12-62k of the general
301 statutes are repealed and the following is substituted in lieu thereof
302 (*Effective from passage and applicable to certifications of exemption from the*
303 *requirement to implement a revaluation made on or after April 1, 2003*):

304 (c) The committee shall establish whether or not a town complied
305 with the requirements of section 12-62, as amended by this act, in
306 effecting the required calculations, and whether or not the result of
307 such calculations supports the town's certification of exemption. The
308 committee shall determine whether or not the assessor in performing
309 the analyses for each property class and for all real property: (1)
310 Excluded market sales that should have been included, (2) made
311 adjustments to the sales prices of property that were not based on
312 objective criteria, not documented, or not substantiated in terms of the
313 reasons therefor, or (3) included sales that were not market sales, [or
314 (4)] and the committee may determine if the assessor did not make
315 necessary and appropriate adjustments to the sales prices of real
316 property included as market sales. If the committee finds that the town
317 or the assessor did not conform to the requirements of subsection (k) of
318 section 12-62, as amended by this act, and that such nonconformance
319 materially affected the calculations on which the town based its
320 certification of exemption from the requirement to implement a
321 scheduled revaluation, the committee shall recommend that the
322 secretary rescind such exemption. If the committee finds that the town

323 or the assessor conformed to such requirements, or did not conform to
324 such requirements but that such nonconformance did not materially
325 affect the calculations on which such certification was based, the
326 committee shall recommend that the secretary validate such
327 exemption.

328 (d) (1) In the event the Secretary of the Office of Policy and
329 Management rescinds a town's revaluation exemption certification, the
330 town shall implement a revaluation of all real property [as soon as is]
331 on the assessment date for which the secretary rescinded such
332 exemption, if practicable, but in no event later than the October first
333 next following [the] said date. [on which it was scheduled to
334 implement the revaluation for which the secretary rescinded the
335 exemption certification. Any] Not later than ninety days after receiving
336 the secretary's notice rescinding the certification, the town's chief
337 executive officer shall send a written notice to the secretary specifying
338 the date on which the town will implement revaluation. If such date is
339 other than the October first date for which the certification was
340 rescinded, the secretary or the secretary's designee shall promptly
341 schedule a hearing at which the chief executive officer and the assessor
342 shall appear to explain (A) the town's good faith efforts to implement a
343 revaluation on the assessment date required, (B) the reason for the
344 town's inability to do so despite such efforts, and (C) the steps the
345 town is taking to implement revaluation as of the October first next
346 following said assessment date.

347 (2) Notwithstanding the effective date of a revaluation implemented
348 by a town following receipt of the secretary's notice rescinding the
349 town's revaluation certification exemption, such town shall be required
350 to implement its next subsequent revaluation for the assessment date
351 that is four years after the assessment date for which such exemption
352 certification [is] was rescinded and thereafter such town shall
353 implement a revaluation in accordance with the provisions of
354 subsection (b) of section 12-62, as amended by this act. Any such town
355 shall not be eligible to certify an exemption from the requirement to
356 implement a revaluation, pursuant to section 12-62, as amended by

357 this act, any earlier than the date that is five years after the date on
358 which the town certified the exemption from the requirement to
359 implement a revaluation that the secretary rescinded.

360 (3) If the secretary determines that [such] a town's revaluation
361 exemption certification could not have been made unless the town
362 [intentionally] disregarded the provisions of section 12-62, as amended
363 by this act, [in order to subvert the requirement to implement a
364 scheduled revaluation] or if the secretary determines that a town did
365 not make timely and good faith efforts toward implementing a
366 revaluation on the assessment date for which such exemption
367 certification was rescinded, the secretary may impose a penalty against
368 such town. A town shall be deemed to have disregarded the provisions
369 of said section 12-62, as amended by this act, if (A) the town submits a
370 certification of revaluation exemption containing calculations that do
371 not satisfy the criteria for such exemption, or (B) the data upon which a
372 town bases such certification do not support the calculations submitted
373 in substantiation thereof. The secretary shall determine the amount of
374 such penalty and the method by which it shall be paid, which may
375 include subtracting such amount from any grant the payment of which
376 the secretary certifies to the Comptroller in the fiscal year in which the
377 penalty is imposed, or in the fiscal year next following. Prior to
378 imposing any such penalty, the secretary, or the secretary's designee,
379 shall hold a hearing and shall send a written notice to the town of the
380 date, time and place thereof not later than ten business days before
381 such hearing is scheduled. Not later than thirty days following the
382 conclusion of such hearing, the secretary shall determine if imposition
383 of a penalty is warranted and shall send a written notice of such
384 determination to the town. In the event the secretary imposes a
385 penalty, such notice shall state the amount of such penalty and the
386 method by which it shall be paid. The secretary shall send any notice
387 required by this [section] subdivision, by certified or registered mail.
388 Any town aggrieved by the action of the secretary following such
389 hearing or by the amount of the penalty imposed may appeal to the
390 superior court for the judicial district wherein such town is located.

391 Such appeal shall be taken not later than ten business days after the
 392 date on which the town receives the secretary's notice concerning such
 393 penalty. Any such appeal shall be privileged.

394 Sec. 9. Subsection (a) of section 12-53 of the general statutes is
 395 repealed and the following is substituted in lieu thereof (*Effective July*
 396 *1, 2003*):

397 (a) For purposes of this section: (1) "Omitted property" means
 398 property for which complete information is not included in the
 399 declaration required to be filed by law with respect to either the total
 400 number and type of all items subject to taxation or the true original
 401 cost and year acquired of all such items, (2) "books", "papers",
 402 "documents" and "other records" includes, but is not limited to, federal
 403 tax forms relating to the acquisition and cost of fixed assets, general
 404 ledgers, balance sheets, disbursement ledgers, fixed asset and
 405 depreciation schedules, financial statements, invoices, operating
 406 expense reports, capital and operating leases, conditional sales
 407 agreements and building or leasehold ledgers, and (3) "designee of an
 408 assessor" means a Connecticut municipal assessor certified in
 409 accordance with subsection (b) of section 12-40a, a certified public
 410 accountant [, a revaluation company certified in accordance with
 411 section 12-2c for the valuation of personal property,] or an individual
 412 certified as a revaluation [company employee] appraiser in accordance
 413 with section 12-2b, as amended by this act, for the valuation of
 414 personal property.

415 Sec. 10. (*Effective July 1, 2003*) Section 12-2c of the general statutes is
 416 repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003, and applicable to assessment years commencing on or after October 1, 2003</i>
Sec. 2	<i>October 1, 2003, and applicable to assessment years commencing on or after October 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>

Sec. 4	October 1, 2003
Sec. 5	<i>from passage and applicable to certifications of exemption from the requirement to implement a revaluation made on or after April 1, 2003</i>
Sec. 6	<i>from passage and applicable to certifications of exemption from the requirement to implement a revaluation made on or after April 1, 2003</i>
Sec. 7	<i>from passage and applicable to certifications of exemption from the requirement to implement a revaluation made on or after April 1, 2003</i>
Sec. 8	<i>from passage and applicable to certifications of exemption from the requirement to implement a revaluation made on or after April 1, 2003</i>
Sec. 9	July 1, 2003
Sec. 10	July 1, 2003

PD **Joint Favorable Subst.**